

FORM PTO-1390
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

534P013

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/509723

INTERNATIONAL APPLICATION NO.

PCT/EP03/03639

INTERNATIONAL FILING DATE

8 April 2003

PRIORITY DATE CLAIMED

12 April 2002

TITLE OF INVENTION

BATTERY SEPARATOR WITH IMPROVED OXIDATION STABILITY

APPLICANT(S) FOR DO/EO/US

Jorg Deiters and Klaus Heinrich Ihmels

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto, with certification of translation.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 1. Copy of the International Search Report;
 2. Copy of Form PCT/IB/308; and
 3. Copy of Form PCT/IB/304.

U.S. APPLICATION NO. (if known, see 37 CFR 1.51)

INTERNATIONAL APPLICATION NO.

PCT/EP03/03639

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534P013

21. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)

nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO

and International Search Report not prepared by the EPO or JPO. \$1,110.00

International preliminary examination fee (37 CFR 1.482) not paid to

USPTO but International Search Report prepared by the EPO or JPO \$ 950.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO

but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 790.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO

but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$ 750.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO

and all claims satisfied provisions of PCT Article 33(1)-(4) \$ 100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

\$ 950.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months
from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	21 - 20 =	1	x \$ 18.00
Independent claims	4 - 3 =	1	x \$ 88.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300.00

\$ 1,080.00

\$ 18.00

\$ 88.00

\$ 0

TOTAL OF ABOVE CALCULATIONS =

\$ 1,186.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
are reduced by 1/2.

\$ -

SUBTOTAL =

\$ 1,186.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months
from the earliest claimed priority date (37 CFR 1.492(f)).

\$ -

TOTAL NATIONAL FEE =

\$ 1,186.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$ -

TOTAL FEES ENCLOSED =

\$ 1,186.00

Amount to be
refunded: \$

charged: \$

a. ☒ A check in the amount of \$ 1,186.00 to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 14-0930. A duplicate copy of this sheet is enclosed.d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card
information should not be included on this form. Provide credit card information and authorization on PTO-2038.**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)
or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Niels & Lemack
176 E. Main Street
Suite 7
Westboro, MA 01581

SIGNATURE

Kevin S. Lemack

NAME

32,579

REGISTRATION NUMBER

10/509723

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

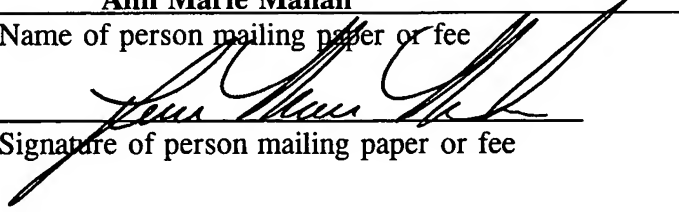
Applicant : Jörg Deiters et al.
Serial No. : Not yet assigned (PCT/EP03/03639)
Filed : Herewith By Express Mail (8 April 2003)
For : BATTERY SEPARATOR WITH IMPROVED OXIDATION STABILITY
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : 534P013
Type of paper : Letter

"EXPRESS MAIL" MAILING LABEL NO ER 908004056 US
DATE OF DEPOSIT: October 1, 2004

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Mail Stop: PCT, Alexandria, VA 22313-1450.

Ann Marie Mahan

Name of person mailing paper or fee


Signature of person mailing paper or fee

10/509723
DT09 Rec'd PCT/PTO 01 OCT 2004

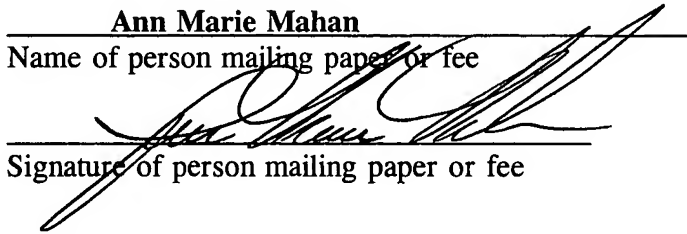
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Art Unit : Not yet assigned
Attorney
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Type of paper : Filing Fee

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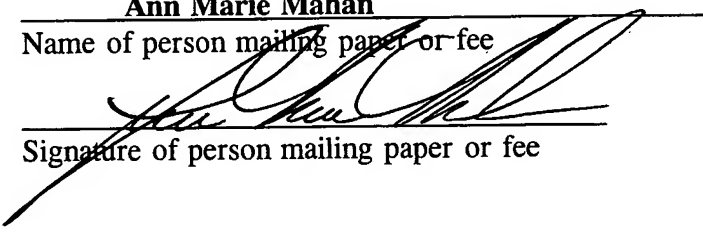
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STABILITY
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : 534P013
Type of paper : Translation of the International Application into English, together with
a Certification of Translation

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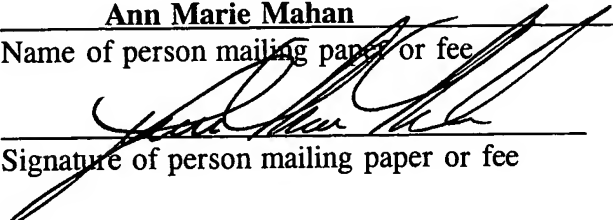
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For : BATTERY SEPARATOR WITH IMPROVED OXIDATION
STABILITY
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : 534P013
Type of paper : Transmittal Letter To The United States Designated/Elected Office
(DO/EO/US) Concerning A Filing Under 35 U.S.C. 371

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DT09 Rec'd PCT/PTO 01 OCT 2004

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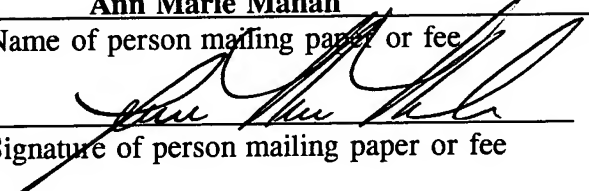
Applicant : Jörg Deiters et al.
Serial No. : Not yet assigned (PCT/EP03/03639)
Filed : Herewith By Express Mail (8 April 2003)
For : BATTERY SEPARATOR WITH IMPROVED OXIDATION
STABILITY
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : 534P013
Type of paper : Preliminary Amendment

"EXPRESS MAIL" MAILING LABEL NO ER 908004056 US
DATE OF DEPOSIT: October 1, 2004

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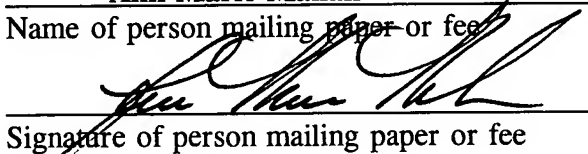
11/509723
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Applicant : Jörg Deiters et al.
Serial No. : Not yet assigned (PCT/EP03/03639)
Filed : Herewith By Express Mail (8 April 2003)
For : BATTERY SEPARATOR WITH IMPROVED OXIDATION
STABILITY
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : 534P013
Type of paper : Copy of the International Search Report

"EXPRESS MAIL" MAILING LABEL NO ER 908004056 US
DATE OF DEPOSIT: October 1, 2004

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Ann Marie Mahan
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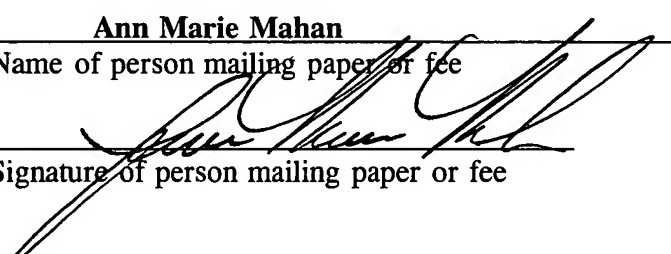
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For : BATTERY SEPARATOR WITH IMPROVED OXIDATION STABILITY
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney Docket No. : 534P013
Type of paper : Copy of the Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (PCT/IB/308)

"EXPRESS MAIL" MAILING LABEL NO ER 908004056 US
DATE OF DEPOSIT: October 1, 2004

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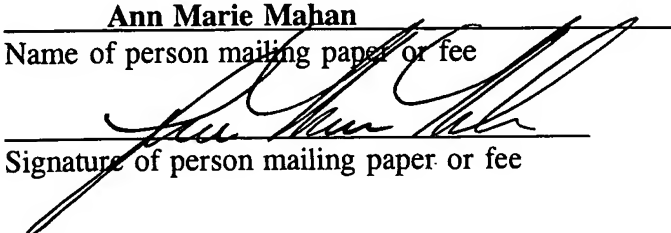
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Applicant : Jörg Deiters et al.
Serial No. : Not yet assigned (PCT/EP03/03639)
Filed : Herewith By Express Mail (8 April 2003)
For : BATTERY SEPARATOR WITH IMPROVED OXIDATION
STABILITY
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : 534P013
Type of paper : Copy of the Notification Concerning Submission or Transmittal of
Priority Document (PCT/IB/304)

"EXPRESS MAIL" MAILING LABEL NO ER 908004056 US
DATE OF DEPOSIT: October 1, 2004

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Ann Marie Mahan
Name of person mailing paper or fee

Signature of person mailing paper or fee

Attorney Docket No. 534P013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Jörg Deiters and Klaus Heinrich Ihmels**

For: **BATTERY SEPARATOR WITH IMPROVED OXIDATION STABILITY**

Commissioner for Patents
P.O. Box 1450
Mail Stop: PCT
Alexandria, VA 22313-1450

Sir: LETTER

The above-identified applicant enclose for filing the national phase of a PCT patent application (PCT/EP03/03639) entitled "**BATTERY SEPARATOR WITH IMPROVED OXIDATION STABILITY**". Said attached PCT patent application includes (1) Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (2-Pages); (2) Translation of the International Application into English: 1-Page Certification of Translation, 31-Page Specification (including 4-Pages of Claims (18)); (3) Preliminary Amendment (8-Pages); (4) Check in the amount of \$1,186.00 in payment of the Filing Fee; (5) Copy of the International Search Report (4-Pages); (6) Copy of the Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (Form PCT/IB/308)(1-Page) and (7) Copy of the Notification Concerning Submission of Priority Documents (Form PCT/IB/304)(1-Page).


PLEASE ENTER THE PRELIMINARY AMENDMENT BEFORE CALCULATING THE FEES.

The executed Declaration will be submitted in due course.

All correspondence concerning this application should be mailed to: **CUSTOMER NO: 42754**

**Kevin S. Lemack
Nields & Lemack
176 E. Main Street - Suite 7
Westboro, Massachusetts 01581**

Respectfully submitted,


Kevin S. Lemack
Attorney for Applicant
Registration No. 32,579

Date: October 1, 2004
EXPRESS MAIL NO: ER 908004056 US